

envelope power (PEP). All stations operating on this frequency must be located in or within 50 nautical miles (92.6 km) of the State of Alaska. This frequency may also be used by stations authorized in the Alaska-private fixed service for calling and listening, but only for establishing communication before switching to another frequency.

[49 FR 32201, Aug. 13, 1984]

§ 90.255 [Reserved]

§ 90.257 Assignment and use of frequencies in the band 72–76 MHz.

(a) The following criteria shall govern the authorization and use of frequencies within the band 72–76 MHz by fixed stations. (For call box operations see § 90.241).

(1) The following frequencies in the band 72–76 MHz may be used for fixed operations:

MHz: 72.02, 72.04, 72.06, 72.08, 72.10, 72.12, 72.14, 72.16, 72.18, 72.20, 72.22, 72.24, 72.26, 72.28, 72.30, 72.32, 72.34, 72.36, 72.38, 72.40, 72.42, 72.46, 72.50, 72.54, 72.58, 72.62, 72.64, 72.66, 72.68, 72.70, 72.72, 72.74, 72.76, 72.78, 72.80, 72.82, 72.84, 72.86, 72.88, 72.90, 72.92, 72.94, 72.96, 72.98, 75.42, 75.46, 75.50, 75.54, 75.58, 75.62, 75.64, 75.66, 75.68, 75.70, 75.72, 75.74, 75.76, 75.78, 75.80, 75.82, 75.84, 75.86, 75.88, 75.90, 75.92, 75.94, 75.96, 75.98.

(2) All authorizations are subject to the condition that no harmful interference will be caused to television reception on Channels 4 and 5.

(3) The applicant must agree to eliminate any harmful interference caused by his operation to TV reception on either Channel 4 or 5 that might develop by whatever means are necessary. Such action must be taken within 90 days of notification by the Commission. If such interference is not eliminated within the 90-day period, operation of the fixed station will be discontinued.

(4) Vertical polarization must be used.

(5) Whenever it is proposed to locate a 72–76 MHz fixed station less than 128 km (80 mi.) but more than 16 km (10 mi.) from the site of a TV transmitter operating on either channel 4 or 5, or from the post office of a community in which such channels are assigned but not in operation, the fixed station shall be authorized only if there are fewer than 100 family dwelling units (as de-

fined by the U.S. Bureau of the Census), excluding units 112 or more km (70 mi.) distant from the TV antenna site, located within a circle centered at the location of the proposed fixed station. The radius shall be determined by use of the following chart entitled, "Chart for Determining Radius From Fixed Station in 72–76 MHz Band to Interference Contour Along Which 10 Percent of Service From Adjacent Channel Television Station Would Be Destroyed." Two charts are available, one for Channel 4, and one for Channel 5. The Commission may, however, in a particular case, authorize the location of a fixed station within a circle containing 100 or more family dwelling units upon a showing that:

(i) The proposed site is the only suitable location.

(ii) It is not feasible, technically or otherwise, to use other available frequencies.

(iii) The applicant has a plan to control any interference that might develop to TV reception from his operations.

(iv) The applicant is financially able and agrees to make such adjustments in the TV receivers affected as may be necessary to eliminate any interference caused by his operations.

(v) All applications seeking authority to operate with a separation of less than 16 km (10 mi.) will be returned without action.

(b) The following criteria governs the authorization and use of frequencies in the 72–76 MHz band by mobile stations in the Special Industrial, Manufacturers, Forest Products, Railroad, Power, Petroleum, and Business Radio Services.

(1) Mobile operation on frequencies in the 72–76 MHz band is subject to the condition that no interference is caused to the reception of television stations operating on Channel 4 or 5. Interference will be considered to occur whenever reception of a regularly used television signal is impaired by signals radiated by stations operating under these rules in the 72 to 76 MHz band regardless of the quality of such reception or the strength of the signal used. In order to minimize the hazard of such interference, it shall be the duty of the